

REMEDICATION AND REDEVELOPMENT (RR) NEWS FROM WISCONSIN DNR

FEE RULE

On October 28 the DNR's Natural Resources Board approved promulgation of NR 749, the RR program's fee rule, as final. The rule has been forwarded to the Legislative for review. The rule is the same as the current emergency fee rule, with one addition. NR 749.03 has been added, making fee collection in the final rule retroactive to the date that the emergency fee rule expires. This provision was added to avoid a gap in fee collection between the end of the emergency rule and the start of the final rule. The emergency fee rule, and implementation guidance, is available on the RR program's web site - <http://www.dnr.state.wi.us/org/aw/rr/index.htm>

PETROLEUM TANK SITE JURISDICTION

On October 28 the Natural Resources Board also approved an emergency rule, Com 46, codifying a portion of the Memorandum of Understanding between the departments of Natural Resources and Commerce. Rule promulgation is pending. This rule was developed following a motion by the Legislature's Joint Committee for Review of Administrative Rules requesting that DNR and Commerce jointly promulgate a rule on agency oversight for leaking underground and above ground petroleum storage tank sites. Under the rule, DNR would retain authority for sites with groundwater contamination above preventive action limits (PALs), contaminants without PALs, and sites that include non-petroleum contaminants.

BROWNFIELDS STUDY REPORT

The Brownfields Study Group was created by the governor and the legislature to evaluate Wisconsin's brownfields initiatives. The goal of the study group is to provide Wisconsin with an effective package of brownfields incentives to further enhance the cleanup and reuse of these properties. Working with state agencies, the group's specific task is to provide the legislature with a brownfields study report by December 31, 1998. That report is now being developed, including proposals and recommendations presented by the five subcommittees (Area-wide Groundwater, Financial Incentives, Liability, Local Government, and Outreach and Education). The first draft of the report is being reviewed by the study group members, and the schedule for completion is as follows:

November 13: The full Brownfields Study Group meets, and will vote on proposals/recommendations to finalize the report;

November 13 - November 30: DNR will incorporate changes and additions from the study group meeting;

December 1: The draft final report will be presented to Department of Administration;

December 8 or 9: DNR will brief the Natural Resources Board on the report;

End of December: DNR will submit the final report to the Legislature. Additional information on the Brownfields Study Group is available on the RR program's web site.

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